

Appl. No. 09/937,178
Atty. Docket No. CM2089
Amdt. dated 12/10/2003
Reply to Office Action of 9/30/03
Customer No. 27752

REMARKS/ARGUMENTS

Claims 1-12 have been canceled without prejudice to Applicant's right to pursue their subject matter in appropriate continuation applications. Claims 14, 15 and 16 have been canceled as being redundant, in view of the amendments to Claim 13. Claim 13 has been amended to recite the parameters of Claims 14 and 15. These amendments add no new matter, and entry is requested. Claims 13, 17 and 18 are now in the case.

Rejection Under 35 USC 112

The rejection of Claim 15 has been obviated by the cancellation of the claim.

Rejections Under 35 USC 102

The rejections of Claims 10 and 12 have been obviated by the cancellation of those claims.

Rejection Of Claim 11 Under 35 USC 103

The rejection of Claim 11 has been obviated by the cancellation of that claim.

Rejection Of Claims 13-18 Under 35 USC 103

Process Claims 13-18 have been rejected over WO 99/06522 in view of U.S. 4,911,860, for reasons of record at pages 5-6 of the Office Action.

Applicants respectfully traverse the rejections on this basis, to the extent they may apply to amended Claims 13, 17 and 18, now in the case.

It is submitted that the present invention provides a novel and unobvious process for pre-treating and machine-washing substrates (e.g., fabrics, dishes, etc.) that is nowhere suggested in the cited references.

Succinctly stated, the claimed process employs a unique tablet whose semi-solid portion is rubbed onto highly soiled areas of the target substrate to provide pre-treatment. Following this pre-treatment step, the entire tablet is placed in the machine, and the washing step is then conducted.

Different from the cited references and quite different from common commercial practice, the present invention thus provides the user with a process which employs a unitary pre-treatment/washing product, rather than the familiar dual-product comprising a separate pre-treater and a separate washing product.

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What is clear from '860 is that the patentees therein were not contemplating, or in any way suggesting, a unitary pre-treating/washing product for use in an overall cleaning process as claimed herein. In this regard, attention is directed to the usage instructions in '860 at Col. 4, l. 12-25:

In use, the present composition can be applied to stains and spots on either dry fabric or fabric that has been dampened with water. Following either mode of application the fabric is then subjected to a normal laundering process. Direct application to a dry fabric is usually more convenient for the user. When applied to a dry fabric, the composition acts on the spot or stain during an early part of the normal laundering process and is removed during a later part of the a laundering process. When applied to a fabric already dampened with water best results are obtained if some time, for example about 5 minutes, is allowed to elapse in order to give the composition time to act on the spot or stain prior to the normal laundering process. [Emphasis supplied]

As emphasized, the claimed composition of '860 is applied (e.g., form a "stick"; Col. 4, l. 5) and then the fabric is washed in "normal" fashion. Nothing therein suggests that the stick pre-treater composition is placed in the washing machine. Thus, it logically follows that this constitutes no more than a disclosure of a now-familiar dual-product cleaning operation.

What is also clear from WO/6522 is that the patentees did not contemplate a step of pre-treating a soil with the semi-solid portion of a tablet and then using the tablet to complete the washing process. Said another way, the cleaning process comprising a pre-treatment step and a washing step using only a single product in the manner of the present invention is nowhere contemplated by the disclosures of WO/6522.

Therefore, it is further submitted that '860 adds nothing to WO/6522 in this regard. Clearly, this combination of references in no way contemplates the unitary, dual-purpose product used in the manner of the present invention. It is therefore submitted that any combination of these two documents to, somehow, arrive at the invention as presently claimed thus constitutes an impermissible hindsight reconstruction of the present invention. In view of the amendments herein, reconsideration and withdrawal of the rejections are requested.

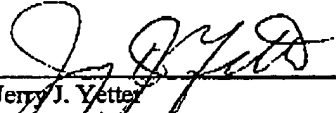
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In light of the foregoing, early and favorable action in the case is requested.

Respectfully submitted,

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